

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LAVERNE MCBRYDE-O'NEAL,

Plaintiff,

-against-

TASK FORCE OFFICER DINOL POLICHETTI, et al.,

Defendants.

23-CV-10113 (JPC) (RFT)

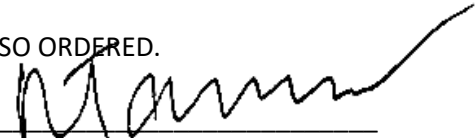
ORDER

ROBYN F. TARNOFSKY, United States Magistrate Judge:

On May 21, 2024, Plaintiff Laverne A. McBryde-O'Neal filed a letter requesting a subpoena compelling production of body-worn camera footage for law enforcement officers involved in the incident underlying her complaint (the "Letter"). (See ECF 37.) Requiring any discovery at this point in the case is premature, because the parties have not yet discussed discovery as required under Federal Rule of Civil Procedure 26(d). That Rule provides: "A party may not seek discovery from any source before the parties have conferred as required by Rule 26(f)," except in circumstances not relevant here or when "authorized . . . by court order." See Fed. R. Civ. P. 26(d). Requiring production, as Plaintiff requests, of body-worn camera footage from all law enforcement officers involved in the incident underlying her complaint would also be problematic at this time because the government has not yet identified all such officers. Certainly, the officers who have already been identified have an obligation to preserve their body-worn camera footage of the incident.

DATED: May 30, 2024
New York, NY

SO ORDERED.



ROBYN F. TARNOFSKY

United States Magistrate Judge